

**WHAT WILL BE THE IMPACT OF CIVILIANIZATION ON
POLICE INVESTIGATIONS BY 2002 AT THE
OAKLAND POLICE DEPARTMENT?**

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This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

CIVILIANIZATION OF POLICE INVESTIGATIONS

By: Peter Dunbar-Oakland Police Department

The transition to community-oriented policing has been labor-intensive at the Oakland Police Department. Sworn resources have been stretched to maintain the level of service needed daily and implement projects central to community policing. While this style of policing is gaining the public's confidence to work with law enforcement, other functions, such as investigations, have suffered personnel cutbacks to support patrol and community policing. The Oakland Police Department is exploring innovative strategies to maintain the expected level of service in all areas. One such strategy is the civilianization of police investigations. With an eye to the future, this article will focus on the following issue: What will be the impact of civilianization on police investigations by the year 2002 at the Oakland Police Department?

Civilianization in law enforcement is the utilization of civilian or non-sworn personnel in roles traditionally performed by police officers. This concept dates back to the development of police radios and report writing, when civilians began to be hired as dispatchers and clerks.¹ In 1978, Propositions 4 and 13 curtailed the ability for California cities and counties to raise revenue through taxation. This economic pressure to do more with less, especially in public safety, has led to a revival of civilianization in law enforcement.

In 1995, the Police Executive Research Forum (PERF) conducted a study of the Oakland Police Department. PERF recommended civilianizing the duties of several investigative positions, including records and background checks, and other clerical duties.² Other cities, such as Costa Mesa, have broadened civilian investigative functions to include follow-up investigation of check and credit card cases.

Civilianization offers the following advantages:

- The costs are lower for civilian personnel than sworn; including salary, benefits, and training.
- The use of civilian personnel makes more sworn officers available for the patrol function.
- A civilian labor pool of technologically experienced personnel grows, along with law enforcement's need for and use of technology.³
- An organization, which utilizes civilians to supplement, supervise, and manage.⁴

The history and information obtained led to a discussion with experts from management, labor, and current civilian staff on this issue. Based on this work, a snapshot of the possible future of investigations at the Oakland Police Department in 2002 developed.

SCENARIO-A NEW WAY OF DOING BUSINESS

Officer Bauer just sat down at his desk on Monday, February 7, 2002. He flips on his desktop computer to see what reports have been assigned to him. Bauer has been with the Department for seven years, and assigned to Area 2 investigations for two months. A change in the department's organizational structure and union leadership has given management more flexibility in overall assignments and allowed for six month assignments of patrol officers in other specialties to round out their background. Both the police and civilian labor unions agreed to this two-year pilot program to increase job satisfaction and performance. Bauer sees there are two in custody for a residential burglary. Ten other reports have several leads, and stolen property lists and the evidence recovery report on perspiration from a car burglary for DNA processing.

Officer Bauer turns to Bob Gunar, a Civilian Investigative Aide (CIA) assigned to Area 2. Gunar became a CIA after completing a POST-certified academy for this classification. The classification has been in existence for three months, and this is Gunar's third week on the job.

For the past three years, law enforcement agencies have worked with POST to design specifications for civilian investigative aides to include this position among those needing limited police officer powers. This came about as a result of intensive lobbying by labor and police unions and was supported by the California Chiefs Association.

The CIA job duties include taking the lead on forgery, fraud, and computer forensic cases, preparing search and arrest warrants for an affiant's signature, testifying to hearsay information, and accessing Criminal Offender Record Information. Legislation was passed and signed by Governor Willie Brown. POST agreed with agencies and recognized the need to have a standard civilian training program to train civilians in areas which assist sworn investigators. Training for a CIA is less intensive and costly compared to the recruit officer basic academy. Subjects taught included 832 PC, courtroom testimony, report writing, and investigative techniques.

Bauer discusses the ten cases with possible leads with Gunar, and requests the stolen property be entered in the state database. He also directs Gunar to develop the leads on the cases while Bauer interviews the in-custody suspects.

Gunar enters the stolen property information into the database, and is alerted to a suspect with a similar M.O. The subject's photo, criminal history, fingerprints, and DNA markers come up on his screen. Gunar runs the DNA comparison program, and gets a match on the auto burglary biological evidence. Based on this evidence, Gunar prepares an arrest and search warrant for the subject for Bauer to review and approve.

Sergeant Thomas checks on the status of the Civilian Training Guide at Gunar's workstation. The guide, developed as a training tool by the agency, is similar to the Field Training Officer guide used by new officers in the training program. Bauer routes a progress report on the Training Guide to the sergeant's computer. Sergeant

Thomas then heads for the Computer Forensic Unit, a unit staffed by one full and three part-time CIA's.

Joe Braun is on-duty in the Computer Forensic Unit, examining a 20 gig hard drive recovered by search warrant. Braun has been loaned to the Department from Sun Microsystems, where he works as a software technician. The loan program with Sun and other Silicon Valley firms is the result of the development in the private sector of encryption programs to scramble data as it is transmitted by radio or telephonic means, or stored in databases. This has created a need for law enforcement to encrypt data for internal records, to keep it secure from "hackers". Law enforcement agencies also needed the ability to decipher data of computer criminals that utilize this new technology. Braun analyzes seized computers, obtains necessary warrants for further technical examination, and works with state legislators to codify crimes on the Internet.

The CIA's are used as generalists in accordance with the rest of the sworn complement of investigators. They follow leads on all crimes, which allows investigators more time for interviews, court testimony, and execution of warrants. This has proved to reduce the paperwork for investigators by 32%, increased the number of warrants by 8%, and has led to the overall acceptance of CIA's by the sworn staff. The sworn personnel see that they are able to devote more time to complex investigations, and appreciate the work of the CIAs.

Currently, two sergeants supervise 12 CIAs and the other sergeants have moved to violent crime investigations, which has dramatically reduced investigator caseload and improved clearance rate. CIAs have been hired due to their backgrounds with financial institutions as analysts, consultants, and managers. They have attended the nine week POST-certified Civilian Investigative Aide Course, and are assigned a geographical area for investigations. CIA's use a database to track crimes at the various institutions, and are able to distinguish similarities with suspects and victims to track any potential series of cases.

This scenario can become reality by innovative, risk-taking leaders designing a better future for their organization. In a society where people want to help "make a difference", this strategy brings it together.

HOW DID WE GET THERE?

This scenario can be a reality through planning, development and implementation of a civilian investigator program. The plan has two components. A strategic plan to examine the organization's ability to change and identify strategies to develop and implement this program is the first component. The second component is a transition management plan that is a vehicle to move the plan to fruition. The transition will likely be successful if existing mechanisms are utilized, and a core group of influential leaders enthusiastically support the program.⁵

The following recommendations can make the position of a civilian investigator a reality:

1. The Department regularly convenes meetings with stakeholders to discuss current issues, trends, and events. This groupthink will bring in fresh ideas and established resources to lead change. An eye towards the future will be necessary to gain a wider perspective.
2. The Department should work with POST and other organizations to explore the training of civilians in law enforcement. This may include reserve officer training, which would give civilian investigators police officer powers on duty.
3. Leadership training of line officers and civilians should be conducted. Too often we don't prepare our future for the future. This will also assist with any future change processes, since a different view, that of management and leadership, can be gained and utilized. Continual leadership training at all levels, including mixed ranks and team building exercises to develop those principles.
4. Expand the recruiting of sworn and civilian staff to reach a wider pool of candidates. Announcements in non-law enforcement publications,

attendance at job fairs, and college campus interviews offer the Department an advantage of employing technologically competent people.

CONCLUSION

Identifying and implementing creative programs will ensure law enforcement's success as we move into the 21st century. Civilianization of police investigations can be an efficient use of resources, by making more sworn officers available for patrol, and hiring civilian specialists to conduct selected follow-up investigations. If we are to be successful in community-oriented policing, then we must truly embrace members of the community in a working partnership. The public we serve and agency personnel deserve to be the benefactors of this innovation.

¹ Hackett, Michael. "Avoiding the pitfalls of civilianization." California Police Recorder, 6(2): 43, April 1987.

² Police Executive Research Forum, Oakland, California Study. July 1995, page 14.

³ Occupational Outlook Handbook. U.S. Department of Labor, Bureau of Labor Statistics. 1996-97 Edition, page 305.

⁴ Nees, Hal. "Policing 2001, part 1." Law and Order, 38(1):258, January 1990.

⁵ Kotter, John P. Leading Change. Harvard Business School Press: 57, 1996.